

REMARKS

The Examiner's action of February 11, 2003 is noted in which the claims are rejected variously under 35 U.S.C. 112 and 35 U.S.C. 103. The claims have been amended to alleviate the 35 U.S.C. 112 rejections and also to more specifically define what Applicant regards as her invention.

Aside from the 35 U.S.C. 112 second paragraph rejection, the claims are rejected under 35 U.S.C. 103 in view of Fargano. The Examiner notes that Fargano does not specifically state that the tasks are transmitted from an Internet site. This is a point well worth considering because it is only by the provision of a server at an Internet site housing the lesson plans and the mini-lessons involved that one can easily transmit the mini-lessons to the intended individual.

It will be appreciated that the use of the Internet greatly simplifies the task of delivering mini-lessons. More importantly, the use of the Internet makes it possible to create and manage the course content from one's office remote from the server. This is due to the accessibility of the server via the Internet by those providing the source content. It would not be obvious to use the Internet in such a complicated teaching scenario as depicted by Fargano, especially because one cannot choose a telecommunications channel by the Internet, a function required by Fargano. Allowance of the claims on this basis is requested.

The second distinction, which is indeed critical, is that the mini-lessons are transmitted at times that are not disruptive to the recipient.

As recited in the present specification it is important that a "...task can be presented to the individual on a timely and periodic basis without intrusively interfering with his or her workday" (page 12, lines 12-14). Moreover, in the Abstract it is said that the mini-lessons are

"integrated into the learner's daily experiences without requiring the learner to significantly deflect attention from his or her normal responsibilities or activities". At page 4, line 15, the mini-lessons "are integrated into the workday". Further on page 5, lines 4 and 5 it is said "It is to be noted that the system... is driven at a pace determined to be that which is not disruptive to the individual...".

This is totally unlike the system shown in Fargano in which the lessons are supposed to be "autonomously" sent over the selected channel. As can be seen from Column 4, Lines 24-32 of Fargano "in accordance with the present invention, the challenge is sent autonomously. This means that the subject must always be ready for challenges, because one may arrive at any time."

It has been found that this type of instruction scenario is counter productive because it completely breaks up the day of the individual requiring the lesson material. It is as destructive as a sonic boom that occurs at unpredictable times. Because sonic booms are unpredictable they cause significant stress. If the individual is surprised at unpredictable times by push of a lesson or challenge, the disruption causes stress and interferes with the learning process.

It will be appreciated that the purpose for using the subject invention is not to have employees go to a conference in order to obtain the requisite training information. Rather, it is desirable to be able to receive the lessons at one's desk or some other place at times which are not disruptive and are convenient to the individual.

For this reason the Fargano system which relies on surprise teaches away from the claimed subject matter. It would not be obvious to go from the Fargano teaching method to the claimed teaching method primarily because the Fargano teaching method is incredibly

disruptive to the individual and the learning process; whereas the subject teaching method can be planned for by the individual to fit into his workday, and is thus highly effective.

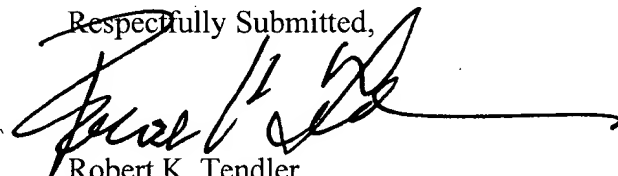
In the Fargano, importance of the "autonomous" nature of the "challenge" can be seen because these limitations appear in each and every claim of the patent. Note, this teaching method has not been widely adopted because of its disruptive nature.

On the other hand, the subject teaching method which requires knowledge by the individual as to the time that the mini-lessons will be transmitted has garnered significant acceptance. The claimed system is thus not obvious over the Fargano system.

It is therefore Applicant's contention that the claims are in condition for allowance.

Allowance of the claims and issuance of the case is therefore earnestly solicited.

Respectfully Submitted,



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